

# Daily Nebraskan

November 22, 1988

University of Nebraska-Lincoln

Vol. 88 No. 61

## Former professor files complaint in court

By Victoria Ayotte  
Senior Reporter

A former University of Nebraska-Lincoln associate professor has filed a complaint in U.S. District Court alleging he was denied due process in consideration for tenure by three UNL officials.

Joseph Shlien, former associate professor of mechanical engineering, filed the complaint Wednesday against Chancellor Martin Massengale, Robert Furgason, vice chancellor for academic affairs and Stanley Liberty, dean of the College of Engineering and Technology.

Shlien said in the complaint that Liberty recommended to deny him tenure because of an unwritten criteria that Shlien did not generate enough external funding for his research.

Shlien said he is a nationally-recognized expert in the field of thermo-fluids and turbulence and was promised, when he was hired in 1982, that he would qualify for tenure if he designed and developed a basic research laboratory within his field and taught the required courses.

Shlien completed these requirements, according to the complaint. Shlien said he was given the written requirements for obtaining tenure, and nowhere was external funding for research outlined as a condition of tenure.

The chairman of the mechanical engineering department evaluated Shlien in May 1985, the complaint states, and it was first implied that an unwritten requirement of external funding might become a precondition for tenure.

"Dr. Shlien must... have external funding," a quote from the evaluation says.

The National Science Foundation is the major source of funding in his field, Shlien said in the complaint. Shlien said that National Science Foundation funding in his field was "substantially reduced" between the time he was hired and the denial of his tenure.

"The defendants, and each of them, predetermined that they wished to deny plaintiff tenure," Shlien said in the complaint.

UNL officials allegedly went through the tenure consideration process "to conceal that predetermination," he said.

Shlien said the mechanical engineering

department chairman recommended to Liberty that Shlien be granted tenure, although the Promotion and Tenure Committee of the department recommended against it. The advisory committee of the college voted against tenure, according to the complaint.

Liberty wrote to Furgason in February 1987 recommending against tenure, it states.

Shlien said he was informed in April 1987 that tenure was denied, "because he had not acquired outside funding for his research."

Shlien said he was never informed of any of the considerations. He then requested reconsideration for tenure.

In the reconsideration process of May 1987, the Promotion and Tenure Committee reversed its earlier decision and voted to recommend tenure for Shlien.

The College Advisory Committee again recommended against tenure "after being instructed by Defendant Liberty to not consider recent accomplishments of Plaintiff (Shlien), such as publications in the leading journals in his field and recognition by his peers nationally that he had become an expert in his field."

Liberty again recommended that tenure be denied, and Shlien was informed by Massengale and Furgason that tenure was denied and 1987-1988 would be his final year at UNL.

Shlien filed a grievance with the UNL Faculty Senate Grievance Committee, which concluded in December 1987 that the tenure considerations procedures "had been manipulated and basic protections to which Plaintiff (Shlien) was entitled had been denied."

The grievance committee recommended reconsideration, and that external funding should not be a consideration for tenure. The committee agreed an outside panel of professors from other universities would review Shlien's qualifications and advise Liberty.

However, Shlien alleges, Liberty, Furgason and Massengale "intentionally substantially delayed any further reconsideration."

Liberty again indicated that external support for research was a consideration, the complaint states.

In July 1988, Liberty allegedly restructured the college's advisory committee to

See LAWSUIT on 6

## What they'd like to see: New regents ponder goals

By David Holloway  
Senior Reporter

When the University of Nebraska Board of Regents meets Jan. 14, two new members will sit on the board.

Robert Allen of Hastings, who defeated 18-year board member Robert Koefoot of Grand Island, said he would like to see what could be done to attract "more new talent" to the staff and administration at the University of Nebraska-Lincoln.

Board chairman James Moylan, an 18-year veteran from Omaha, was defeated by Rosemary Skrupa of Omaha. Skrupa said her top priority

will be the "portability of credits from the University of Nebraska-Omaha to UNL." Allen hopes to hold on to the talent in faculty and staff at UNL but attract some new professors.

"Something needs to be done in salary enhancement for faculty and administration," Allen said.

William Swanson, a regent from Lincoln, said he is "glad that Allen supports the faculty salary increase."

Faculty salaries are something the board has supported for years, Swanson said, and Allen could help push the pay increase.

Allen said his top priority now is to

See REGENTS on 6

## Minority scholarships increased

By David G. Young  
Staff Reporter

The University of Nebraska-Lincoln will have five times the amount of money for minority-oriented scholarships in 1989 as currently available, said James Griesen, vice chancellor for student affairs.

"I would guess that we should have in the neighborhood of \$50,000 (next) year for scholarships aimed specifically at minority students," Griesen said.

Griesen said the increase, which was financed by "a number of gifts from private donors," comes as part of a university effort to attract more minority students to UNL. He would not specify who the donors were.

"This is the first year we feel we've had a respectable amount of money available," he said. "Nebraska never has aggressively recruited, with scholarships, minority students with particular academic ability."

In order to promote the new scholarship dollars, advertisements were placed in the Omaha World-Herald and the Omaha Star, a newspaper targeted at black readers. Letters also were sent to Nebraska high schools which traditionally have a large number of minority students, Griesen said.

"On Wednesday, Nov. 9, 80 students from South High School visited the university, the vast majority of them minorities. I met with them in the morning as part of a day on campus. A number had already gotten the word (about the scholarship program)," Griesen said.

"My indications would be that if the sample of 80 is accurate, that when we tally them up this year, we should have a significantly larger

number of applicants," he said.

Griesen said minorities in Omaha are highly recruited by Iowa State, as well as many other private schools. He said this was partially because of a lack of effort by UNL.

Jimmi Smith, director of the Multi-Cultural Affairs Office, agreed with Griesen that the lack of funding in the past has given the university a bad reputation.

"Examining the UNL experience, it can be clearly said that for white middle class and white low income students, they are served pretty well," said Smith. "The university was built, was planned and was structured to serve that type of person."

"How well has it responded to the educational needs of racial minority persons and groups? Is quality of education being received on an equal basis as those other groups?"

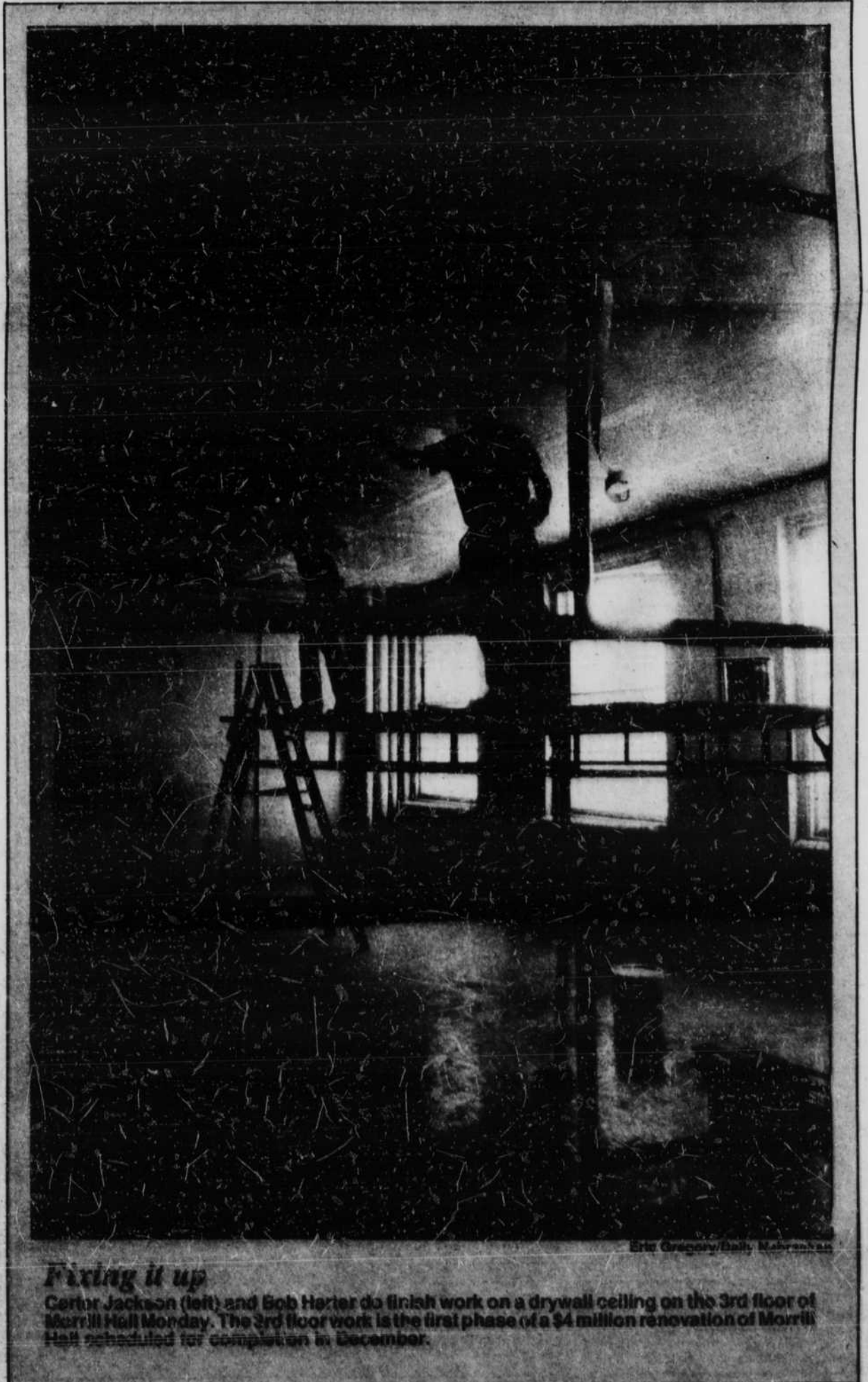
Smith said the new scholarship effort fits in one of the need areas presented by the Appreciating Cultural Diversity Program.

Griesen said that in the future, more money would be added to the fund, provided primarily by the Rick Davis scholarship. Davis, who graduated from UNL, died recently, leaving between \$50,000 and \$200,000 available for the future, Griesen said.

Smith noted, however, that while the scholarship program may be successful in attracting more minorities to the university, efforts need to be made to retain these scholars.

"It's critical that the environment be looked at," he said. "If that scholar finds he can't succeed outside the classroom area, he'll be frustrated. If minority scholars aren't allowed to do that, it could cause them to leave."

Smith said the best way to assure minority success outside the classroom is to fund minority organizations.



### Fixing it up

Carter Jackson (left) and Bob Harter do finish work on a drywall ceiling on the 3rd floor of Morrill Hall Monday. The 3rd floor work is the first phase of a \$4 million renovation of Morrill Hall scheduled for completion in December.